

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan MURRAY et al.

Serial No.: 10/518,432

Filed: December 20, 2004

For: IMMUNOGENIC POLYPEPTIDE ISOLATED FROM MYCOBACTERIUM  
AVIUM SUBSPECIES PARATUBERCULOSIS AND USES THEREOF

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Attention: APPLICATION BRANCH**  
**MISSING REQUIREMENTS OF APPLICATION**

Sir:

With respect to the above-identified national phase application, the following are filed herewith in response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed **June 6, 2005**, copy attached.

- X Declaration in compliance with 37 C.F.R. §1.63 (2 sheets in total).
- X Submission of diskette for application with Sequence Listings.
- X If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

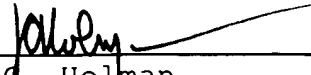


Appln. No. 10/518,432

Respectfully submitted,

JACOBSON HOLMAN PLLC

By

  
John G. Holman  
Reg. No. 22,769

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
(202) 638-6666

Atty. Docket: P70329US0  
Date: August 1, 2005  
JCH/cmf

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 6768

Alan Murray, et al.

Atty. Docket. No.: P70329US0

Serial No. 10/518,432

Group Art Unit: n/a

Filing Date: December 20, 2004

Examiner: n/a

FOR: IMMUNOGENIC POLYPEPTIDE ISOLATED FROM MYCOBACTERIUM AVIUM  
SUBSPECIES PARATUBERCULOSIS AND USES THEREOF

**SUBMISSION OF DISKETTE FOR APPLICATION WITH SEQUENCE LISTINGS**

Mail Stop Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirement Under 35 U.S.C. 371 in The United States Designated/Elected Office (DO/EO/US) mailed June 6, 2005, enclosed please find a copy of the "Sequence Listing" in computer readable form submitted in a 3.5 inch diskette.

According to the requirement of 37 CFR 1.821(f), Applicant hereby states that the information recorded in computer readable form is identical to the written listing of the paper copy originally submitted with the specification on December 20, 2004. Please enter the sequence listing into the application.

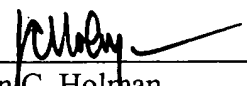
In addition, Applicant hereby states that the submission, filed in accordance with 37 CFR 1.821(g), herein does not include new matter.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: August 1, 2005  
(202) 638-6666  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
Atty. Dkt. No.: P70329US0  
JCH/jc - R:/Share/Jchen/P70329US0-Seq-List-Reply-Missing-Part.doc

By

  
John C. Holman  
Registration No. 22,769



6/10/05  
TC 6-15-05  
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

P70329US0

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,432	Alan MURRAY	P70329US0

INTERNATIONAL APPLICATION NO.
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PCT/NZ03/00125

LA. FILING DATE	PRIORITY DATE
06/19/2003	06/19/2002

00136  
JACOBSON HOLMAN PLLC  
400 SEVENTH STREET N.W.  
SUITE 600  
WASHINGTON, DC 20004

JACOBSON HOLMAN PLLC  
Response Due On Or Before  
8 / 6 / 05  
Month Day Year

CONFIRMATION NO. 6768  
371 FORMALITIES LETTER



\*OC000000016193887\*

Date Mailed: 06/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2004
- Copy of the International Search Report filed on 12/20/2004
- Copy of IPE Report filed on 12/20/2004
- Preliminary Amendments filed on 12/20/2004
- Request for Immediate Examination filed on 12/20/2004
- U.S. Basic National Fees filed on 12/20/2004
- Priority Documents filed on 12/20/2004
- Specification filed on 12/20/2004
- Claims filed on 12/20/2004
- Abstracts filed on 12/20/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable

form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,432	PCT/NZ03/00125	P70329US0